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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,091	12/04/2000	Akira Oosawa	Q61255	7543

7590

08/05/2003

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Washington, DC 20037-3202

EXAMINER

TABATABAI, ABOLFAZL

ART UNIT	PAPER NUMBER
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2625

DATE MAILED: 08/05/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/728,091

Applicant(s)

OOSAWA, AKIRA

Examiner

Abolfazl Tabatabai

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 04 September 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Li et al (U S 6, 594,378 B1).

Regarding claim 1, Li et al disclose an image display method for displaying two or more images of an identical object to be compared, wherein the two or more images are displayed together in a row or a column with positions of a structural feature area of the identical object in the two or more images aligned horizontally or vertically (column 2, lines 23-29 and column 6, lines 1-9).

Regarding claim 2, Li et al disclose an image display, wherein each of the two or more images of the identical object to be compared is a radiation image for medical use (Fig. 4a-4e and column 9, lines 40-52).

Regarding claim 3, Li et al disclose an image display, wherein each of the two or more images of the identical object to be compared is an original image (Column 2, lines 23-29).

Regarding claim 4, Li et al disclose an image display, wherein the two or more original images are taken at different points in time (Column 9, lines 45-55).

Regarding claim 5, Li et al disclose an image display, wherein the two or more images of the identical object to be compared include at least one of a plurality of original images and a subtraction image, which is derived by matching positions of two images selected out of said plurality of original images and taking a differential between the selected two images (Column 14, lines 34-56).

Claim 6, is similarly analyzed as claim 4 above.

Regarding claim 7, Li et al disclose an image display, wherein each of the two or more images is added onto an image display one by one (Column 9, lines 21-28).

Claim 8, is similarly analyzed as claim 1 above.

Claim 9, is similarly analyzed as claim 2 above.

Claim 10, is similarly analyzed as claim 3 above.

Claim 11, is similarly analyzed as claim 4 above.

Claim 12, is similarly analyzed as claim 5 above.

Claim 13, is similarly analyzed as claim 6 above.

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Claim 14, is similarly analyzed as claim 7 above.

Other prior art cited

4. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

U. S. Patent (6,101,238) to Murthy et al is cited for system for generating a computed x-ray image for diagnosis.

U.S. Patent (5,466,689 B1) to MacMahon is cited for method and system for digital radiography.

U.S. Patent (5,717,735) to Ramsdell et al is cited for medical radiological apparatus including optical crosshair device for patient positioning and forearm and spinal positioning.

U.S. Patent (5,092,335) to Le Bihan is cited for method for imaging of intra-voxel movements by NMR in a body.

U.S. Patent (4,694,479) to Bacskai et al is cited for video-radiographic process and equipment for a quality controlled weld seam.

Contact Information

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5. any inquiry concerning this communication or earlier communications from the Examiner should be directed to ABOLFAZL TABATABAI whose telephone number is (703) 306-5917.

The examiner can normally be reached on Monday through Thursday from 9:30 a.m. to 7:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Bhavesh Mehta M, can be reached at (703) 308-5246.

Any response to this action should be mailed to:

Assistant Commissioner for Patents

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for *formal* communications; please mark

"EXPEDITED PROCEDURE")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA. Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750

Abolfazl Tabatabai

Patent Examiner

Group Art Unit 2625

July 31, 2003



Jayanti K. Patel
Primary Examiner